

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA**

MINUTE ORDER

DATE: 01/25/2016

TIME: 08:20:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: None

CASE NO: **56-2014-00461060-CU-NP-VTA**

CASE TITLE: **P.Q.L Inc vs Revolution Lighting Technologies Inc**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Non-PI/PD/WD tort - Other

EVENT TYPE: Motion to Compel further responses to discovery

MOVING PARTY: P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion to Compel further responses to discovery. MPAs & declaration of T Randolph Catanese in support thereof, 12/31/2015

APPEARANCES

Nicholas Kanter, counsel, present for Defendant(s) telephonically.

David Yoshida, counsel, present for Cross - Defendant, Plaintiff(s) telephonically.

At 09:03 a.m., court convenes in this matter with all parties present as previously indicated.

Counsel have received and read the court's written tentative ruling.

Plaintiff will submit on the Court's tentative ruling.

Matter submitted to the Court with argument.

The Court finds/orders:

The Court's tentative is adopted as the Court's ruling.

The court's ruling is as follows:

The court intends to continue Plaintiff's Motion to Compel Further Responses to Discovery to allow for timely service and to allow for meet-and-confer obligations to be satisfied. The court proposes continuing the matter to February 29, 2016, unless another date is agreeable to the parties. Service was insufficient: served via FedEx on 12/31/15. CCP §1005(b) requires service at least 16 court days prior to hearing. FedEx service adds two days. With the 1/18/16 holiday, the earliest this Motion should have been set was 1/27/16. **After discussions, motion is continued to March 30, 2016.**

CCP §§ 2030.300(b), 2031.310(b)(2), 2033.290(b), and 2016.040 require the moving party to make

"reasonable and good faith attempt at an informal resolution." The in-person meeting on 9/3/15 appears to have dealt mainly with production requests, while the interrogatories and requests for admission were not discussed (despite being generally outlined in the 8/6/15 letter). Plaintiff itself stated that follow-up correspondence would occur (the 9/8/15 letter states: "A further meet and confer letter related to these concerns [form interrogatories, special interrogatories, requests for admission] is forthcoming.") However, no letter was sent identifying the specific interrogatories or RFA at issue. Plaintiff does not contest the assertion that the interrogatories and RFAs were not discussed in person. It is not clear to the court that the Defendants were made aware of which discovery responses Plaintiff's believed required supplementation once the stay expired. The court is not convinced that there have been sufficient meet and confer efforts since the expiration of the stay. The parties are ordered to engage in additional meet and confer efforts in an attempt to resolve the issues.

Parties are to comply with the code with regards to service.

Motion to Compel further responses to discovery continued to 03/30/2016 at 08:20 AM in department 43.

Notice to be given by Mr. Kanter.